

E-FILING
United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Luis REBOLLA-Sanchez

(Name and Address of Defendant)

08-70164**RS**

CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, March 10, 2008, in Santa Clara County in the Northern District of California defendant(s) was, (Track Statutory Language of Offense)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following
facts:

SEE ATTACHED AFFIDAVIT

PENALTIES: \$250,000.00 fine, twenty (20) years imprisonment, \$100.00 special assessment fee, and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant.

APPROVED AS TO FORM:

ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

3/24/08

Date

at

San Jose, California

City and State

Richard Seeborg
United States Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

RE: REBOLLA-Sanchez, Luis A74 333 975

I am a Deportation Officer of the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) and have been employed since July 7, 1997. I am currently assigned to the Criminal Alien Program (CAP) Unit of the San Jose Sub-Office. In such capacity, I have reviewed the official file relating to the above named individual, which attests to the following:

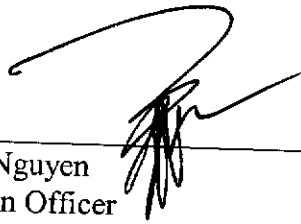
- (1) Mr. REBOLLA-Sanchez is a 29-year-old male who has used nine (9) aliases and one (1) date of birth in the past.
- (2) Mr. REBOLLA-Sanchez has been assigned one (1) Alien Registration number of A74 333 975, FBI number of 395900CB4, California Criminal Information Index number of A11330218, and a Santa Clara County Personal File Number of DNL514.
- (3) Mr. REBOLLA-Sanchez is a native of Mexico and a citizen of Mexico since birth. A check through official records shows that he was arrested and deported on five (5) occasions from the United States:

<u>DATE</u>	<u>PLACE OF DEPORTATION</u>
February 19, 1997	Calexico, CA
March 27, 2000	San Ysidro, CA
June 20, 2002	San Ysidro, CA
April 29, 2004	Nogales, AZ
February 16, 2007	San Ysidro, CA

- (4) Mr. REBOLLA-Sanchez last entered the United States at or near San Ysidro, CA on or after February 16, 2007, by crossing the international border without inspection subsequent to deportation.
- (5) Mr. REBOLLA-Sanchez on a date unknown, but no later than March 10, 2008, in Santa Clara County in the Northern District of California, was found to be unlawfully present in the United States, after prior arrests and deportations, without the permission of the Attorney General or the Secretary of Homeland Security, in violation of Title 8, United States Code, Section 1326. On March 10, 2008, Mr. REBOLLA-Sanchez was interviewed by Immigration Enforcement Agent (IEA) David Vargas at the Santa Clara County Jail, San Jose, CA, and during that interview, Mr. REBOLLA-Sanchez was advised of his **Miranda** rights in Spanish. Mr. REBOLLA-Sanchez waived his **Miranda** rights and provided a written sworn statement attesting to his alienage, prior deportation, and failure to obtain permission from the Attorney General or the Secretary of Homeland Security to re-enter the United States.


RE: REBOLLA-Sanchez, Luis A74 333 975

- (6) Mr. REBOLLA-Sanchez was, on November 23, 1998, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of ASSAULT WITH A DEADLY WEAPON, an aggravated felony, in violation of Section 245(a)(1) of the California Penal Code, and was sentenced to four (4) years in prison.
- (7) Mr. REBOLLA-Sanchez was, on October 26, 2000, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of POSSESSION CONTROLLED SUBSTANCE (METH), a felony, in violation of Section 11377(A) of the California Health and Safety Code, and was sentenced to two (2) years and eight (8) month in prison.
- (8) Mr. REBOLLA-Sanchez was, on September 5, 2002, convicted in the United States District Court, Southern District of California, for the offense of ILLEGAL ENTRY, a felony, in violation of Title 8 United States Code, Section 1325, and was sentenced to twenty-four (24) months in prison.
- (9) Mr. REBOLLA-Sanchez was, on August 16, 2004, convicted in the United States District Court, District of Arizona, for the offense of ILLEGAL RE-ENTRY AFTER DEPORTATION, a felony, in violation of Title 8 United States Code, Section 1326, and was sentenced to two (2) years in prison.
- (10) On the basis of the above information, there is probable cause to believe that Mr. REBOLLA-Sanchez illegally re-entered the United States, in violation of Title 8, United States Code, Section 1326.



Trong Q. Nguyen
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 24th day of March, 2008



RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE